

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION

DMITRY PRONIN	§	
VS.	§	CIVIL ACTION NO. 1:22cv104
S. PENRY, ET AL.	§	

MEMORANDUM ORDER PARTIALLY ADOPTING  
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Dmitry Pronin, an inmate currently confined at the Maryland Correctional Institution, proceeding *pro se*, brought the above-styled lawsuit.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge recommends dismissing the action pursuant to 28 U.S.C. § 1915(g) and as frivolous.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record and pleadings. Plaintiff filed objections to the magistrate judge's Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b).

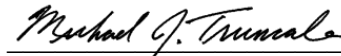
Plaintiff does not object to the dismissal of the action under 28 U.S.C. § 1915(g). However, plaintiff does object to the dismissal as frivolous because, he contends, the action relates to another previously-filed lawsuit. Therefore, after careful consideration, the Court concludes the Report

should be adopted to the extent it recommended dismissal of the action pursuant to 28 U.S.C. § 1915(g).<sup>1</sup>

O R D E R

Accordingly, the Report of the magistrate judge is ADOPTED to the extent it recommended dismissal pursuant to 28 U.S.C. § 1915(g). A final judgment will be entered in this case in accordance with the magistrate judge's recommendations.

**SIGNED this 20th day of December, 2022.**



Michael J. Truncala  
United States District Judge

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<sup>1</sup> A review of plaintiff's cases reveals plaintiff has another civil action currently pending before this Court. *See Pronin v. Penry*, 1:19cv392 (E.D. Tex. 2022). The dismissal of this action is without prejudice to plaintiff's ability to pursue his claims in the other action currently pending before the Court, No. 1:19cv392.